

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRANDON RESCH,

Plaintiff,

v.

Case No. 4:14-cv-13432
District Judge Terrence G. Berg
Magistrate Judge Anthony P. Patti

BAYDOUN, *et al.*,

Defendants.

**ORDER ON PLAINTIFF'S RESPONSE TO MARCH 4, 2015 SHOW
CAUSE ORDER (DE 26)**

On March 4, 2015, the Court ordered Plaintiff to show cause as to why the Court should not dismiss his claims against the John Doe Defendants for failure to effect service. (DE 24.) This matter is before the Court for consideration of Plaintiff Brandon Resch's Verified Response to Order to Show Cause. (DE 26.)

Plaintiff filed his timely response on March 16, 2015. (DE 26.) In his response, Plaintiff's counsel, Michael R. Dezsi, notes that Plaintiff filed this case *pro se* and has only recently obtained the assistance of counsel. (Id. at ¶¶ 1-2.) Mr. Dezsi avers that, since filing his appearance on the case on February 16, 2015, he and Defendants have conducted discovery to ascertain the names of the John Doe Defendants. (Id. at ¶¶ 4-5.) Mr. Dezsi indicates that he has prepared an

amended complaint naming the John Doe Defendants. (Id. at ¶ 6.) Seeking a stipulation, he provided the Defendants with a copy of the proposed amended complaint on March 16, 2015. Defendants are currently reviewing the proposed amended complaint. (Id.)

The Court concludes that Plaintiff has shown good cause for his failure to timely identify and serve the John Doe Defendants. Accordingly, Plaintiff may file a motion for leave to amend his Complaint or a stipulation and Amended Complaint **ON OR BEFORE APRIL 7, 2015.**¹ Any such motion or stipulation should make provision for the issuance of summonses for any newly named Defendants.

IT IS SO ORDERED.

Dated: March 17, 2015

s/Anthony P. Patti
Anthony P. Patti
UNITED STATES MAGISTRATE JUDGE

¹ If needed, a motion to amend Plaintiff's Complaint should be made in accordance with Federal Rule of Civil Procedure 15(a)(2) and Eastern District of Michigan Local Rule 15.1. The Court makes no findings at this time as to the potential success or failure of such a motion.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was sent to parties of record on March 17, 2015, electronically and/or by U.S. Mail.

s/Michael Williams

Case Manager for the
Honorable Anthony P. Patti
(313) 234-5200